

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

NANCY J. CLINE, individually, and as Personal
Representative of THE ESTATE OF GLEN
H. CLINE, JR., Deceased, *et al*,

Plaintiffs,

v

JOHN JAMES CHRISTY, *et al*.,

Defendants.

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Case No.: JFM-03-CV-529

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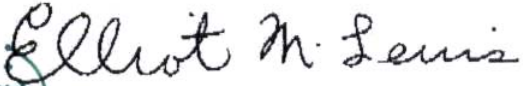

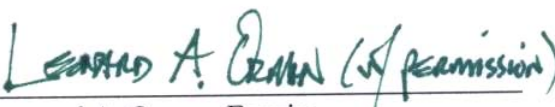
PARTIES' STIPULATION AS TO EVIDENTIARY MATTERS

NOW COME the parties hereto, by and through their respective undersigned counsel of record, and do hereby Stipulate as to the following evidentiary matters relative to the Trial of the above-captioned cause, ***TO-WIT:***

1. That the death of the decedent Glen H. Cline, Jr., as well as the damage to both the Cline and Defendant vehicles as depicted within Townes Deposition Exhibits 2 – 8, was caused by the subject accident giving rise to the instant action.
2. That the Medical Examiner's Report pertaining to said decedent shall be admissible at Trial.
3. That the 31 January 2003 deposition transcript of Corporal Benjamin Townes shall be used at Trial in lieu of live testimony, subject to any proper evidentiary Objections.

- a. That said Townes Deposition Exhibits 2 – 8 shall be admissible at Trial, and Defendant's counsel shall produce and make the same available at the time of Trial.
4. That Plaintiffs' expert, Herman Miller, shall testify via *de bene esse* video and/or stenographic deposition to take place prior to Trial.

SO STIPULATED and AGREED:

 _____ Lawrence E. Ballantine, Esquire Attorney for Defendants	 _____ Elliot N. Lewis, Esquire Elliot N. Lewis, P.A. Attorneys for Plaintiffs Nancy and Josh Cline
 _____ Timothy R. Freel, Esquire Freel & Freel, P.C. Attorneys for Plaintiffs Nancy and Josh Cline	 _____ Leonard A. Orman, Esquire Leonard A. Orman, P.A. Attorneys for remaining Plaintiffs

CERTIFICATE OF FILING/SERVICE

I HEREBY CERTIFY that a copy of Plaintiffs' foregoing *Parties' Stipulation As To Evidentiary Matters* was electronically filed in the above-captioned cause on 17 February 2004. The original shall be retained by the undersigned for filing or production if and as necessary under applicable Court Rule.

A handwritten signature in black ink, appearing to be 'Timothy R. Freel', with a large, sweeping loop and a horizontal line extending to the right.

Dated: 17 February 2004

FREEL & FREEL, P.C.
By Timothy R. Freel (Bar No.: 27248)
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East Tawas, Michigan 48730
(989) 362-3443
Attorneys for Plaintiffs